

AUG 10 2007

[286] Attorney Docket No. : BET-105US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Nathan W. Levin, Daniel Schneditz, and Fansan Zhu
Appl. No. : 10/089,831
Filed : April 4, 2002
For : METHODS AND APPARATUS FOR MEASURING THE
VOLUME OF FLUID IN THE PERITONEAL CAVITY
Examiner : B. Huh
Group : 3767

RESPONSE

This is in response to the Office Action dated April 11, 2007.

Submitted herewith is a petition under 37 CFR §1.136 and the required fee requesting a one month extension in which to file this Response. With the extension, this paper is due on August 13, 2007.

No further extension of time is believed to be necessary for the filing of this Response, but if such an extension of time is required, applicants request that this be considered a petition therefor. The Director is hereby authorized to charge any fees which may be required for such an extension to Deposit Account No. 11-1158.

The undersigned attorney would like to thank Examiner Huh for the helpful telephone interviews conducted on July 19, 2007 and August 2, 2007.

During the July 19th interview, the undersigned outlined applicants' belief that various of the issues raised in the April 11th Office Action, such as the §103 rejection based on the Peabody/Hagan combination, had been considered and resolved in the prior prosecution of this application. The undersigned also outlined applicants' view that their claims satisfy the requirements of §101 and §112.